

THE BORDER AS MARTIAL LAW



Photo: John Moore (Getty Images)

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PREFACE

The dominant feature of life in the US borderlands is one of a growing and pervasive presence of law enforcement. That presence increasingly takes on aspects that are felt and experienced by many as being all too much like martial law.

Jason Aragon's video, *Under Arpaio*, is a feature-length documentary that takes us to Phoenix, Arizona to see the former and infamous Maricopa County sheriff, Joe Arpaio, in action. Jason's video also gives us an inside look at the popular resistance in Arizona.

Celli Stanley's article, *Palestine and Arizona* sheds light on the connection between two similar struggles, many miles apart but close in spirit. You may recognize Chelli's name from the video work she has done elsewhere for this guide.

Quite possibly we have misnamed this lesson. Martial law, by definition, is not meant to be permanent. But there is nothing temporary in the way the border wall is being constructed—which goes hand in hand with the build-up of troops, drones, surveillance blimps, and various components of a “virtual fence”. And while it would be hyperbole to say we live under fascism, it would be irresponsible not to recognize when policies and practices are adopted that could provide the infrastructure should it ever emerge.

The physical facts of border militarization are girded and institutionalized through the legal facts: laws adopted at both state and federal levels to enshrine the security state. Federal programs such as Secure Communities and 287g already blur lines and turn local and state authorities into agents of immigration law. Arizona's SB1070 only extends federal policies. In the article included by AfGJ's James Jordan, we read about a siege of Arizona communities by more than 800 local, state and federal law enforcement personnel, coordinated by ICE (Immigration and Customs Enforcement). This was the largest

operation in ICE's history and took place on the very day that the Arizona legislature passed SB1070.

Since 2010, there has been an increase in our country of the number of people hounded, infiltrated, entrapped, investigated, spied on and jailed for their political activities. These include immigrant rights activists, anti-war and solidarity activists, protesters, environmentalists, and Anarchists "guilty" of owning certain reading material. The increase in political repression was preceded by a wave of racism against undocumented workers and Latino immigrants that coincided with the introduction of NAFTA but reached a fever pitch with the aftermath of the events of 9/11/01. (This, despite the fact that none of the hijackers entered via the US-Mexico border—and that all came here with official permission.)

Most recently, the Trump Administration has moved to increase the size of the Border Patrol, end DACA, strategize ways to build the border wall, and drastically cut down legal immigration into the United States. The federal government also plans on cutting down screening steps to streamline the hiring process for new border patrol agents, even with the organization's history of abuse.

The reality is that border militarization and enforcement, along with the ever-growing prison industry, are front lines for implementing control mechanisms of populations affected by massive disruption, displacement and unrest.

These are reasons people in the rest of the country really need to pay attention to the border: what is being developed here is coming soon to a theater—and we don't mean a movie theater—near you....

JASON ARAGON UNDER ARPAIO



Interview and video by Chelli Stanley and Will Wickham.

Joe Arpaio was convicted of criminal contempt in July 2017 for defying a federal court's demand to stop detaining immigrants without sufficient grounds. In a lawsuit, he had been accused of racially profiling Latinos and detaining them on the suspicion that they were in the country illegally. During his tenure as sheriff, which ended in 2016 after he lost his campaign for reelection, Arpaio allowed crime rates to soar in Maricopa County while he focused his department's energies on federal immigration law. He was pardoned by President Donald Trump in September 2017.

This documentary interview with Jason Aragon is the harrowing story of a community's fight against Arpaio during his time in office. These were people seldom seen in the media that had been working for justice and to end Arpaio's human rights abuses. Stories of abuses through racially profiling, beatings and killings in jail, and arrests for

opposition against the Sheriff were retold by this community under threat. Under Arpaio tells the account of the people taking a stand and organizing for dignity and justice in Arizona by standing up against the self-proclaimed "toughest Sheriff."

Watch the documentary here: <http://afgj.org/under-arpaiio>

CHELLI STANLEY

PALESTINE AND ARIZONA



Border wall divides Arizona, USA from Sonora, Mexico. Photo by Matt Clark.

Sometimes “the story” can seem so complicated, especially to the misinformed American public. Often colonial contexts are made to look like impenetrable conundrums too hard to fix. However, these so-called complications are actually cover-ups meant to hide vast networks of crimes and human rights abuses.

Writing about the similarities between Palestine and Arizona is like writing about two sides of the same coin – mirror reflections. Violence, economic thievery, “legal” excuses to commit depraved acts, hateful politicians spawning hateful societies, the testing of weapons on human populations, thefts protected by militarized borders to keep people impoverished, scapegoating and slandering: all these things are used in both Palestine and Arizona.

“In these lands are rooted communities of strong conscious people who work for the health of their land and people.”

At the center of both struggles is a fight for the land, for human rights, for liberation. At the center of both struggles are indigenous communities whose tie to the land is much stronger and more deeply rooted than most politicians can imagine. At the center of both is a sense of time stretching back to an identity rooted in eternity. At the center is a commitment to history, community, health, and the Land. At the center is the continual awakening that our future lies in what we as people can accomplish for ourselves and each other and not in what we can beg off our so-called political “leaders.”

In these lands are rooted communities of strong conscious people who work for the health of their land and people. In them there are proud women who are stirring and beginning throw off this long patriarchal era – perhaps the most exciting and least talked about development in recent years: that women – the first colonized people – are going to be the first to get free...



Photo by Debbie Hill/UPI. Israeli separation wall divides Shuafat refugee camp outside of Jerusalem on left, from Pisgat Zeev Israeli settlement.

When looking at both Palestine and Arizona we can see how the most deeply-rooted people of both lands are those who are the most (forcefully) impoverished and who are kept – by many means – from enjoying the fruits of the Land. In Palestine, the people are struggling through what many Palestinians call the Ongoing Nakba. Nakbatranslates to Catastrophe in Arabic and refers to the violent dispossession in 1948 of half a million Palestinians from their Lands by the colonial State of Israel. The extensive and well-documented statistics and details of the blatant and ongoing colonial dispossession of Palestine are kept from the United States mass media audience, but let me assure that audience:

1. There is a Place called Palestine
2. Palestinians Love Their Land

3. They Even Bleed Their Blood Into Her and Bathe Her in Tears if Necessary

4. Sumoud: Steadfastness

When talking about Palestine in the United States, one is often expected to prove its existence, to scrub off all the tarnishing slander, to give statistics and facts. This is a way that colonialists keep us running on the wheel, constantly proving ourselves, stuck at surfaces rather than growing into depths. Palestinians don't need to prove themselves to Americans, and it is long past time that we stopped looking to our governments for answers and approval, begging for legislation that honors us, and instead look to our own hearts and to each other for what the future will hold.

Palestine is a Land of gardens and orchards, four seas, rivers, lakes, terraced hillsides of fruits and nuts and olives, stone walkways, ancient pathways, stone cities, warm eyes, warm tea, Mediterranean sun and wind and light. Palestine is Land that created strong, self-sufficient Palestinians, known for their health and generosity, known for their pride, strength, courage, and love for their Land. The struggle in Palestine is an anti-colonial struggle, a struggle against imperialism and genocide, a struggle against racism, a struggle for Indigenous Rights, a struggle for self-determination, a struggle for Liberation. But most of all, the struggle for Palestine is about the Land of Palestine, of whom the Palestinian people are the protectors. The Israeli and U.S. governments work daily to keep Palestinians away from their land, employing billions of dollars annually at this task, as well as at the task of trying to break the people's will in order to more easily control the land. A myriad of tactics are used to try to keep the people away from their land, including: borders, walls, minefields, checkpoints, roadblocks, permit rules, soldiers, laws, humiliation, arrests and torture, the ever-present threat of murder, the creation of false divisions, armed vigilante groups, imposed economic disasters that keep people busy trying not to starve, and high-level government

authorization that these crimes occur in conjunction with media cover-ups.



Photo by Alessandra Sanguinetti. Two girls walk beneath the wall in Palestine.

What from the above list is not present in the Sonoran borderlands of Arizona/Mexico? Minefields and roadblocks.

The Arizona borderlands also have something which Palestine does not have: a desert landscape filled with the bodies of thousands of people who died while trying to find sustenance to keep their families above a state of malnutrition. NAFTA starved out hundreds of thousands of farmers from Mexico, here "illegally" to work under duress and at cheap pay, under hate speech, threats, slander. Funneled into the Sonoran Desert by United States government policies, economic

refugees from Mexico make a difficult journey, in a climate of extreme hate, under laws that repress and criminalize even those who assist these refugee families. It seems like the running joke in the United States and Mexico these days is, "They don't pay Mexicans much." It's hard to write such a cynical sentence but something seen with ones own eyes can't be denied: There is a caste system on the North American Continent. It's funny though, because this Land was Mexico. It's kind of typical of the United States relationship with Mexico: Steal from Mexico in War, make Treaties that turn into nothing but paper, abuse "American Mexicans" into speaking only English, etc.

"When your name is distinct from colonialism and capitalism, is older, then just to say your name is to create a different world."

In its current relationship with the People of Mexico, the United States government is in the "fortunate" position to be able to create chaos, violence, and economic devastation in Mexico and simultaneously benefit from it by creating a response to it in the United States. This puts the U.S. government in the position to create and spend their money on war-like militarization along the border, imprison migrants in for-profit prisons, spark fear through communities, and pump hate through society. The United States government has been continually implicated in the drug trade as well as in gun running to the violent Mexican drug cartels, state police, and state army. These three armed groups have been responsible for/not investigated/assisted in the 70,000+ murders of Mexican civilians these past few years. As the creator of NAFTA, the United States government plays that old colonial

role of starving people out of their own lands which diminishes their health and self-sufficiency. Through media cover-ups the U.S. government continually trumpets itself as the victim of all these “complicated” problems.

There’s a thing about naming in colonization. It’s an interesting process made to make you forget. Like: in the United States it is currently politically incorrect to say that Arizona, California, Colorado, New Mexico, Oklahoma, and Texas were part of Mexico until the United States forcibly took it in an act of War. It’s preferred to just call them by their new names and forget. It is also politically shunned in the U.S. to say the word Aztlan – it’s even decried as racist to say the name Aztlan – just as it is frantically avowed that it is anti-Semitic to call Palestine by its name. Well, even if it’s not politically correct, there’s a thing called Pride, with People calling out their own names.

When most Americans hear the word Palestine, it brings to mind many slanderous associations that have been imposed on the American mind by the mass media in order to cover up the genocide in Palestine. The genocide in Palestine is funded primarily by U.S. taxpayers and fully supported by the U.S. government. Is deliberate misleading of the public consistent with democracy?

The purposeful creation of ignorant masses by both the government and mass media is also seen in Arizona, where scapegoating is constantly used in order to justify yet more crimes against people already dealing with disenfranchisement and traumatization. When our communities become targets, used without reserve by politicians for political and economic gain, and we watch as the masses’ eyes glaze over to our trauma, the trauma can be compounded exponentially. This strategy is used by the corrupted powerful to try to break peoples’ wills through the illusion of isolation. However, it is for us to realize that our isolation is from the powerful, not from each other. When we begin to make allies across these imposed borders we will understand how truly strong we are.

In the Arizonan borderlands, the people with the deepest roots to the land – the Tohono O’odham and Mexican-Indigenous people – are the primary targets of government militarization, repression, and economic war. All of the Tohono O’odham homeland is occupied and even within their colonially-imposed reservation, the occupation is of a direct kind: spy cameras dot the landscape; there are numerous border patrol stations and BP agents have free reign all throughout the Tohono O’odham reservation where they regularly harass, arrest, and commit abuse and violence against native people; chase, arrest, and abuse economic refugees; and remove and/or vandalize the donations that have been set out to save the lives of migrants traveling on foot incognito through desert lands.

The Tohono O’odham homeland is forcibly split – with part in Mexico and part in the United States – and gatherings have become extremely difficult due to all the restrictions imposed on the community by the occupying United States government. Border walls go through the lands, “training” drones fly over the homes, and people are living under a Tribal government that has been imposed on the community through the long history of colonization, and which sides with the occupiers in order to control and disempower. This is very similar to what is happening in Palestine today, where the United States government continues to fund and prop up “President” Mahmoud Abbas who has now stayed in power six years past when his term expired, who refuses to hold elections, who smirks about financial corruption, works against the interests of his people, and who accepts money to create and maintain a new internal Palestinian police force trained and armed by the United States government. This internal Palestinian police force (so reminiscent of the Contras and Death Squads in Latin America) adds yet another layer to the repression against the Palestinian people, who continue to condemn their imposed government, the Israeli colonization of their Lands, and U.S. imperialism.

The United States History in relation to Indigenous People can be characterized by the fact that the United States voted against the United Nations Declaration on the Rights of the Indigenous Peoples in 2007. It can be characterized by the fact that it is the stuff of nightmares, but Indigenous people are holding to their roots, surviving in humor, pride, space, remembrance. And in a country that as yet refuses to acknowledge their name or space or claim, Indigenous people continue to sustain, fight, grow, work, and create. When your name is distinct from colonialism and capitalism, is older, then just to say your name is to create a different world. That's another of those things about naming and colonization.

There's a place in the Sonoran borderlands called Baboquivari, a mountain range that looks long into Mexico and long into the United States. This mountain is the Creation Place of the Tohono O'odham (Desert People), and in this mountain lives a God who is still present on the earth. The Tohono O'odham people are the rooted caretakers of these ancient lands – so ancient that there are petroglyph spirals counting solstices and equinoxes and other spans of time throughout the desert.

Throughout the U.S. Indigenous People are demanding their rights and working to protect the Lands. Throughout North America Indigenous People are coming together, calling out truths colonialism tried to misname.

There's so many things that are similar in these two lands, both in terms of colonial tactics and in the surviving of these tactics, as well as in the depth of communities who continue striving to liberate themselves and their lands.

Borders are an interesting notion, divested of a certain knowledge: that all is one...

JAMES JORDAN

ICE AGENTS CARRY OUT MILITARY STYLE RAIDS IN ARIZONA

APRIL 18, 2010



Photo by Raquel Mogollón

Tucson, AZ - "Tucson today is the moral equivalent of Birmingham, Alabama in 1961," said Mike Wilson, border rights activist and Tohono 'O'odham tribal member, at a rally at the Federal Building here, April 15. The rally was held in response series of raids that took place the same day in Phoenix, Tucson, Rio Rico and Nogales, and in the Mexican city of Nogales, Sonora. The raids targeted people traveling

on shuttle services, but whole neighborhoods were affected, with traffic brought to a virtual standstill while agents occupied urban areas in the biggest such operation in the seven-year history of Immigration and Custom Enforcement (ICE).

Although the rally was organized as an emergency response, with calls going out only a couple of hours before it took place, some 75 people showed up in a diverse crowd of all ages and nationalities. Rally-goers vowed to end the system of racist laws in Arizona with a popular fight back, just like Jim Crow laws of racial discrimination were defeated in the civil rights struggle in the U.S. South in the 1960s.

“Arizona is an epicenter in the development of racist laws - laws that are often picked up by other states.”

The raids involved over 800 ICE officers and law enforcement officials from local to international levels. Immigrant rights activists fear that the operation signifies a new wave of anti-immigrant repression and border militarization.

According to ICE officials, the raids targeted narco-traffickers and human smugglers. In reality, the raids targeted shuttle service owners and operators and community members who evoked suspicion because they looked Latino or indigenous. Scores were arrested and 50 vehicles and seven vans were confiscated. Vidal Ramirez, owner of Sahuaro Shuttle (whose service was not raided), responded to the news saying, “I don’t have the right to ask for papers. I sell the ticket and that’s it. It’s a big, big circus.”

Andrew Provencio, however, lost the shuttle van that he runs to and from Nogales, Arizona. The van was being driven by his son, Ricardo Gomez, who was questioned, but not arrested by ICE agents. Provencio said he was just beginning to pay the \$22,000 loan he had gotten on the van, remarking, "You are not even involved in what's going on and they seize everything." Gomez agreed that shuttle drivers are not allowed to ask passengers regarding their immigration status.

Border rights activists are concerned about the timing of the raids, coming just two days after the Arizona House passed Senate Bill 1070, which would be the harshest anti-immigrant legislation in the country. Among other things, the bill would require local and state police to enforce immigration law and investigate anyone they suspect of being undocumented. The law also gives citizens the ability to sue police agencies for not enforcing immigration law aggressively enough. Some present at the rally wondered if the timing of the raid signified an endorsement of this new approach.

The bill's sponsor, Republican Senator Russell Pierce, claims that there are already ten states ready to adopt similar measures.

Making a comparison with institutionalized racism in the Jim Crow South, Wilson noted that Arizona is an epicenter in the development of racist laws - laws that are often picked up by other states. In a later statement, immigration lawyer and Coalición de Derechos Humanos co-founder Isabel García noted, "We have permitted Arizona to be the engine for the creation of laws and politicians that will impact every person living in this country...with copy-cat legislation appearing across the states."

Because of the 'papers on demand' provisions for anyone suspected of being an undocumented immigrant, the bill implies that everyone, resident, citizen or not, must have identification on their person at all times to verify their immigration status. Anyone who lives near the border knows what this means. English speaking whites who travel

between the border and further inland are virtually never asked to provide proof of citizenship when crossing ICE roadblocks or casually coming into contact with law enforcement. But this requirement is routine for Latinos and indigenous persons, especially if Spanish is their first language - which means the law codifies racial profiling.

The Arizona Puente Human Rights Movement released a statement comparing the legislation to the passbook laws of Apartheid South Africa: "If and when Governor Brewer signs [SB 1070], Arizona will have effectively become the first Apartheid State in the United States. Despite heavy opposition by business interests, clergy, religious associations, police chiefs and League of [Arizona] Cities and Towns, the bill passed the Arizona House of Representatives, moving Arizona closer to becoming the first police state in the country."

The bill defines any undocumented worker as being in violation of state criminal trespassing laws simply by virtue of being in the state, with mandatory jail time for infractions. It also forbids churches from providing sanctuary to undocumented workers and stops cities from adopting policies that prevent police from enforcing immigration laws. It makes illegal the solicitation of work from, or the hiring of, day laborers. It intensifies the requirement that state agencies demand proof of citizenship for all those seeking services, including those calling for police in the event of domestic violence or other crimes.

Martha Ojeda, Director of the Coalition for Maquiladora Justice in San Antonio, has little patience either for Arizona's pioneering policies of racism (and the tendency of other states to follow them) or for the hypocrisy she sees in the treatment of undocumented workers. She notes that the North American Free Trade Agreement lead to a huge spike in immigration, granting free access for big corporations to cross borders, but not for workers to do the same. She notes that undocumented workers have become an indispensable part of the U.S. economy and that they pay more in taxes and Social Security than they receive in social services.

Ojeda feels that the Obama administration was on the right track with initial calls to renegotiate NAFTA, but that his calls don't go far enough: "A renegotiation is indispensable that not only includes labor and environmental accords...or...studies and statistics to measure the increases in poverty. This doesn't help anyone. The market must be regulated and NAFTA must be annulled..."

"There was a massive show of force, with helicopters, dozens of agents, police vehicles and weapons..."

Asked about Arizona's example, Ojeda doesn't mince words: "Arizona has made itself stand out for being a racist state that pursues and criminalizes human beings that come contributing to the economic growth of the United States. Without the day laborers, waiters, cleaners - the U.S. economy would be in more critical shape...Many politicians are worried by immigration but it is obvious that it's only rhetoric to dress up the nationalist racism of the political conservatives that even now are controlling power."

The raids also coincide with revelations that ICE policy for agent evaluations has recently changed to emphasize caseload quotas and that it is trying to drive up statistics for successful operations by expanding the populations it targets for deportations. In a statement blasting the Obama administration's immigration and border policies, the International Executive Vice President for the Service Employees International Union, Eliseo Medina, said that the Department of Homeland Security (which oversees ICE) needs to "stop these crazy, irrational policies." According to Medina, "They said they were going after criminals. They need to do that. They said they were going after

bad actor employers to take away the profit motive. They need to do that. But instead, they are still going after meatpackers, janitors and cooks.”

“There has been a failure with this strategy, and so there's a lot of anger within our union, because we look at and see the everyday impact of these policies, and it's the complete opposite of what they said they were going to do.”

During the raids in Arizona, not only were individuals questioned and arrested, but whole neighborhoods were subjected to a military-style deployment.

Kat Rodriguez, also of Derechos Humanos, said, “There was a massive show of force, with helicopters, dozens of agents, police vehicles and weapons, assaulting our community in a fashion never seen before...This action clearly demonstrates what we have predicted, that we would all be living in a police state here in Arizona. How can the Obama administration permit these actions while espousing a commitment to ‘change?’” She added, “We demand an immediate response from the president and Secretary [of Homeland Security] Janet Napolitano, as this community is already scrambling from the Jim Crow-type laws coming from the extremists in the Arizona legislature.” Napolitano was the previous governor of Arizona before taking her current position.

Derechos Humanos’ Garcia added, “Instead of bringing in the Department of Justice to investigate the immigration abuses and uphold our rights, the Obama administration sics the ICE police on our communities.”

Meanwhile, Coalition for Maquiladora Justice’s Ojeda believes border militarization and immigrant laws are an attempt to shift the blame for the many crises plaguing the United States and represent a reactionary assault doomed to failure:

"I definitely believe that immigration has turned itself into a boomerang for political conservatives...their greed was limitless and did not take into account the consequences. They opened the market and paid hunger wages, obligating people to immigrate. They thought with their invited workers program - the bracero program - they could continue slavery with legitimacy, robbing people of their passports, not paying them [Specific cases like this have been uncovered recently in the states of Florida and Mississippi], thinking that they would have no other alternative than to suffer the oppression. But they were wrong, simply and sincerely because the necessity to survive was bigger and millions of undocumented people broke the frame and didn't follow the paradigms of slavery."

Ojeda continued, "They came and demanded the right to work, to live and the right to migration that is consecrated in the Universal Statement of Human Rights of the United Nations. And now the results are in - whether they like it or not. A crisis in banking, in housing, in nutrition in the environment, with a crisis in manufacturing and a crisis in the automotive industry and with unemployment at high levels not seen since the Great Depression in the '30s. The result is that the U.S., whether it likes it or not, depends on an undocumented labor force."

LINKS

RESOURCES

Resist Closed Borders (by Isabel Garcia)

http://inthesetimes.com/article/7220/resist_closed_borders/

Our Nation's Largest Police Force Lurks in the Shadow of Trump's Wall
(by Brian Erickson for ACLU)

<https://www.aclu.org/blog/immigrants-rights/ice-and-border-patrol-abuses/our-nations-largest-police-force-lurks-shadow>

Why We Need a Whistleblower in US Customs and Border Protection
(by John Washington for The Nation)

<https://www.thenation.com/article/why-we-need-a-whistleblower-in-us-customs-and-border-protection/>